



MOUNTAIN
STATE
JUSTICE

July 5, 2024

City of Morgantown
Attn: Members of Council and Management
389 Spruce Street
Morgantown, WV 26505

Re: Council remarks related to further criminalizing homelessness

Morgantown City Councilors and Management:

We write today to respond to Councilor Louise “Weez” Michael’s comments during Council’s July 2, 2024 regular meeting.

In her end-of-meeting report, Councilor Michael suggested that Council explore an expansion of the camping prohibitions found at Sec. 941.05(c) of the Morgantown City Code, which provides:

“No person shall establish or maintain any camp or other temporary lodging or sleeping place within the park without the written consent of the Manager.”

Councilor Michael called for an amendment to the above-referenced code section to include “residential property, city streets, alleyways, and sidewalks.”

Public camping bans do not and cannot address the root causes of homelessness, which include, but are not limited to, poverty, violence, and disability. To the contrary, fines, arrests, prosecutions, and criminal records are entirely incompatible with securing safe, affordable housing. The only solution to homelessness is housing.

If Council’s goal is to combat homelessness, it must come to terms with the truth that the path is neither straight nor easy, but that saving lives is worth the effort. If Council’s goal is to further stigmatize, punish, and traumatize the most vulnerable people in our community—those with the least power to change their material conditions—then Councilor Michael’s proposition will do just that. Notably, both paths are trod at the taxpayers’ expense.

Perhaps Council is emboldened by the Supreme Court of the United States’ recent opinion in *Grants Pass v. Johnson*, decided just five days ago. To use a tired but appropriate adage, when one door closes, another opens.

We at Mountain State Justice, West Virginia Housing Justice, the Morgantown Coalition for Housing Action, the ACLU-WV, Project Rainbow, the 17th Judicial Circuit Public Defender Corporation, the League of Women Voters of Morgantown-Monongalia County, Morgantown Pride, and Mylan Puskar Health Right will never stop fighting for our unhoused neighbors, be that in the courts, council chambers, the capitol, or the streets. As such, we demand a humane, compassionate, and evidence-based approach to addressing the root causes of homelessness and despair.

We implore you to join us.

Respectfully,

Lindsey Jacobs, Esq.
Mountain State Justice
WV Housing Justice

Anna Saab
Morgantown Coalition for Housing Action

Mollie Kennedy
ACLU-WV

Erin Shelton
Project Rainbow

Justin Hershberger, Esq.
17th Judicial Circuit Public Defender Corp.

Judy Ball
League of Women Voters of Morgantown-Monongalia County

Ash Orr
Morgantown Pride

Laura Jones
Mylan Puskar Health Right

Zach Brown
West Virginia Coalition to End Homelessness